

The Morehead City Planning Board conducted a regularly scheduled meeting on Tuesday, July 19, 2011, in the Municipal Building Auditorium, 202 South Eighth Street, Morehead City, NC, at 5:30 p.m. The following people were present:

MEMBERS: John Creech, Curtis Fleshman, Corinne Geer, Jackie Maucher, Gordy Patrick, and Gordon Thayer

ABSENT: Chairman Bill Taylor

Others present: Planning Director Linda Staab, Planner Sandi Watkins, Secretary Jeannie Vaughan, Mike Shutak of the Carteret County News-Times, John Maucher, Taylor Marvin, Dan Rahe, and Jerry Eatman.

Vice-Chairman John Creech called the meeting to order and delivered the invocation.

The roll was called and Chairman Bill Taylor was absent. Gordon Thayer made **MOTION**, seconded by Jackie Maucher, to excuse the called-in absence. The motion carried unanimously.

Vice-Chairman John Creech led the Pledge of Allegiance.

MINUTES: June 21, 2011: Curtis Fleshman made **MOTION**, seconded by Gordy Patrick, to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A. Request from Gary S. Miller, on behalf of ITAC 192, LLC, for Sketch and Preliminary Plat Review for Crystal Coast Plaza.

Request from Gary S. Miller, on behalf of ITAC 192, LLC for Sketch and Preliminary Plat Review and Approval for Crystal Coast Plaza. Flood Zone: X. Zoning: CH.

The developer is requesting sketch and preliminary plat for a two-lot subdivision in Crystal Coast Plaza, consisting of two lots totaling 33.8 acres. The proposal would subdivide Dick's Sporting Goods from the remainder of the shopping center. Existing development consists of a variety of retail, restaurants and personal services. The development is located in the corporate limits and is zoned CH (Highway Commercial).

State Sedimentation/Erosion Control, Stormwater, and NCDOT permits as well as water and sewer impact and sidewalk fees are submitted as part of the Building Permit application process.

Planner Sandi Watkins introduced the request.

Jerry Eatman, General Counsel for ITAC 192, LLC, spoke in favor of the request.

Gordon Thayer made **MOTION**, seconded by Curtis Fleshman, to recommend approval of the Sketch and to approve the Preliminary Plat. The motion carried unanimously.

B. City-initiated request to amend Articles 4-28.1(E) and 4-29.3(I) of the Unified Development Ordinance to remove the notary certificate requirement for minor and major subdivision plats.

City-Initiated Request to amend Articles 4-28.1(E) and 4-29.3(I) of the Unified Development Ordinance to remove the notary certificate requirement for minor and major subdivision plats:

The Unified Development Ordinance requires certain certificates to be included on final plats for major and minor subdivisions. In the past, the NC General Statutes required that a notary certificate be contained on each final plat. In 1997, the notarization requirement was deleted by the Legislature. The proposed amendment would remove the notarization requirement from the Unified Development Ordinance to provide consistency with G.S. 47-30.

As proposed, the following language would be removed from Articles 4-28.1(E) and 4-29.3(I):

I, [officer authorized to take acknowledgement], do hereby certify that [name of surveyor] personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and official seal this ____ day of ____, 20__.

Official Seal

Signature of Officer

Planner Sandi Watkins introduced the request.

Gordon Thayer made **MOTION**, seconded by Jackie Maucher, to recommend approval of the requested ordinance amendment. The motion carried unanimously.

C. Initial review of the draft Zoning Study for a proposed Extraterritorial Jurisdiction (ETJ) Expansion.

**ZONING STUDY OUTLINE
Extra-Territorial Expansion
To Radio Island
July, 2011**

History:

Morehead City and Beaufort reached a boundary line agreement in the Spring of 2011. A local bill (H565) was introduced which identified the agreed upon boundary and limited the ability of each town to annex only those areas which were located on its respective side of the boundary line. In addition, H565 proposed the annexation of adjacent water and all public rights-of-way. House bill 565 became Session Law 2011-179 on June 20, 2011.

ETJ Expansion, Next Steps:

Morehead City desires to extend its extra-territorial jurisdiction (ETJ) to the agreed upon boundary line. In order to complete this project, the Council must request the County Commissioners to release the area since Carteret County currently enforces building codes, subdivision regulations and zoning in the area. A sample resolution is included with this document for review. Following receipt of the City's resolution, the County Commissioners must pass a resolution releasing the area. Although not required, the County Commissioners may hold a public hearing. Once the County releases the area, County zoning will remain in effect for 60 days or until the City zones the area, whichever is less.

Zoning, Next Steps:

Planning Staff has conducted a preliminary zoning study of the area which includes 45 lots and is recommending that most of the area be zoned to a comparable City zoning classification. Properties zoned Carteret County PI (Port-Industrial) are recommended to be zoned Morehead City IP (Industrial Port). Properties zoned County B1 (General Business) are recommended to be rezoned City CH (Commercial Highway). Properties zoned B2 (Marine Business) are recommended to be rezoned City CM (Commercial Marina). The only exception is the residential area along the causeway. A review of area has revealed that zoning the area from County R20 to City R20 would present a hardship

for those property owners based upon the size, width and depth of the lots. Staff is recommending that those lots be zoned R5 to allow for a 15 foot front and rear setback and a 7 foot side setback based upon the lot size and existing development. The attached report gives lot by lot detail for the entire study area.

The Planning Committee reviewed the draft Zoning Study on June 27 and felt it was more appropriate for the lots zoned B2 along Old Causeway Road east of the condominiums to be zoned R5 and that the property zoned B2 east of Morgan Street be rezoned to R5. Per the Planning Committee's request, Staff contacted these property owners to gain their input.

The owners of the three County B2-zoned lots along the causeway indicated a desire to maintain a comparable zoning (City CM) in lieu of a residential zoning classification. Two of the lots contain residential uses (i.e., a single family dwelling and a mobile home). The owner of the third, the easternmost lot, indicated that he operates a seafood, bait, and charter business from the property, and said he is strongly against rezoning his property to any residential district. *See Zoning Study – Appendix A.*

The owner of the County B2 parcel on the east side of Morgan Street, Mr. Joseph Eudy, indicated that the glass shop currently operating on the site is to be demolished in the near future. Mr. Eudy also prefers to maintain a zoning classification compatible to the current County B2 zoning. *See Zoning Study – Appendix B.*

The Planning Committee also requested that Staff contact the owner of the sole County B1 zoned lot within the subject area. The County B1 classification is most compatible with Morehead City CH; however, the Committee wanted to determine whether CH or CM would be most appropriate for the site and its current use. Staff has not been in contact with this property owner to date. *See Zoning Study – Appendix C.*

Following the review of both the Planning Committee and the Planning Board along with the County's release of the area, the Zoning Study will be finalized and a public hearing will be scheduled.

Planning Director Linda Staab introduced the request.

Board Members all agreed that the Zoning Study should move forward.

REQUESTS/COMMENTS:

The Board requested that Staff begin a review of the IP zoning classification. Linda Staab said that she will provide Board Members two maps within the next week – one showing only IP-zoned properties and one showing IP-zoned properties with surrounding zoning. She will also send the list of permitted and special uses for the Port Industrial District.

ADJOURNMENT: There being no further requests or comments, the meeting adjourned at 6:10 p.m.

Jeannie Vaughan, Secretary